

Vol. 9, No. 31

Kansas Judicial Council

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Notice of Bond Redemption

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**BILL GRAVES Secretary of State** 

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August 2, 1990

#### **Secretary of State**

#### **Usury Rate for August**

Pursuant to the provisions of K.S.A. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate executed during the period of August 1, 1990, through August 31, 1990, is 11.36 percent.

Bill Graves Secretary of State

Doc. No. 009537

# State of Kansas State Grain Inspection Department Notice of Meeting

The State Grain Inspection Department will conduct its quarterly Grain Advisory Board meeting on Monday, August 13, at 9 a.m. in the conference room of the Evans Grain Company at the Salina Board of Trade. The meeting is open to the public.

T.D. Wilson Director

Doc. No. 009542

#### State of Kansas

#### Secretary of State

## Correction Notice Concerning Permanent Administrative Regulation

Due to a clerical error, permanent administrative regulation 109-12-1, published on page 1078 in the Volume 9, No. 28, July 12, 1990, *Kansas Register*, had an incorrect effective date. The correct effective date is August 27, 1990.

Bill Graves Secretary of State

#### State of Kansas

Doc. No. 009561

#### Social and Rehabilitation Services

#### Notice of Withdrawal of Regulation

Kansas Administrative Regulation 30-5-71 has been withdrawn by the secretary and will not be considered for adoption as a permanent regulation at the open meeting scheduled for August 6.

Dennis R. Taylor Acting Secretary of Social and Rehabilitation Services State of Kansas

#### Kansas State University

#### Notice to Bidders

Sealed bids for items listed below will be received by the Kansas State University, Purchasing Office, Manhattan, until 2 p.m. C.D.T. on the date indicated and then will be publicly opened. For additional information call (913) 532-6214.

Monday, August 13, 1990
#10023
Elevator equipment
Tuesday, August 14, 1990
#10024
HPLC system

Wednesday, August 15, 1990 #10026 Two-probe density gauge

> William H. Sesler Director of Purchasing

Doc. No. 009543

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Postmaster. Send change of address form to Kansas Register, Secretary of State, State Capitol, Topeka, KS 66612-1594.

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PUBLISHED BY
Bill Graves
Secretary of State
2nd Floor, State Capitol
Topeka, KS 66612-1594
(913) 296-2236



Register Office: 235-N, State Capitol (913) 296-3489

#### **Kansas Arts Commission**

#### **Notice of Meeting**

The Cultural Diversity Task Force of the Kansas Arts Commission will meet from 12:30 a.m. to 2:30 p.m. Friday, August 10, in the conference room of the Lawrence Public Library, 707 Vermont, Lawrence.

The primary purpose of this task force meeting is to identify and compile a list of existing organizations and resources that serve minorities and minority artists in Kansas, for the benefit of artists and for organizations seeking to expand the cultural diversity of their own programs and services.

This is one of several task forces established by the commission to continue research and assessment of needs in several key areas identified during the commission's long-range planning process. The task forces can propose ways in which the state arts agency can affect those needs through programs, services and funding.

Meetings of the Kansas Arts Commission, a state agency, and of its advisory panels and task forces are open

to public observation.

Requests for information about this or other programs may be directed to the Kansas Arts Commission, Jayhawk Tower, 700 Jackson, Suite 1004, Topeka 66603-3714, (913) 296-3335.

Dorothy L. Ilgen Executive Director

#### State of Kansas

#### **Kansas Arts Commission**

#### **Notice of Advisory Panel Meeting**

The Advisory Panel for the Planning Education in the Arts in Kansas (PEAK) program of the Kansas Arts Commission will meet from 10 a.m. until noon Tuesday, August 14, in the Senate Room of the Jayhawk Tower, 700 Jackson, Topeka, to consider funding applications received for fiscal year 1991.

The panel members will review six applications for PEAK Planning Grants of \$2,000 each. The commission will act upon the panel's recommendations at the next business meeting in September.

Meetings of the Kansas Arts Commission, a state agency, and of its advisory panels are open to public observation.

> Dorothy L. Ilgen Executive Director

Doc. No. 009556

#### State of Kansas

## Department of Health and Environment

## Notice Concerning Kansas Water Pollution Control Permits

In accordance with state regulations 28-16-57 through 63 and 28-18-1 through 4, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, tentative permits have been prepared for the water pollution abatement facilities for the feedlots described below. The tentative determinations for permit content are based on preliminary staff review, applying the appropriate standards and regulations of the state of Kansas and the EPA. The permit requires control of any existing or potential discharges to achieve the goal of "no discharge" whenever possible. The permit, upon issuance, will constitute a state water pollution control and national pollutant discharge elimination system permit.

Name and Address of Applicant	Legal Description	Receiving Water
Premier Cattle Feeders	W/2 Section 13 and	Cimarron River
% Duane Zortman, Mgr.	E/2 Section 14,	Basin
Box 1113	Township 30S, Range	
Ulysses, KS 67880	37W, Grant County,	
	KS	

Federal Permit No. KS-0053481 . Kansas Permit No. A-GIGT-C003
The feedlot has capacity for approximately 17,000 cattle with expansion planned for an additional 8,000 cattle and a contributing drainage area of approximately 315 acres. This is an expansion of an existing facility.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capabilities are provided in excess of 104.5 acre-feet.

Compliance Schedule: None, existing control adequate.

Name and Address	Legal	Receiving
of Applicant	Description	Water
Lee Springer	SE/4 Section 21 and	Verdigris River
Route 4, Box 262	SE/2 Section 23,	Basin
Independence, KS 67301	Township 31S, Range	
	15E, Montgomery	
	County, Kansas	

Federal Permit No. KS-0087114 Kansas Permit No. A-VEMG-H002 The existing facility has the capacity for approximately 5,000 swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent disposal upon agricultural land. Storage capabilities will provide in excess of minimum requirements.

Compliance Schedule: None, existing control adequate.

Comments on the proposed NPDES permits may be submitted to Angela Buie, Bureau of Environmental Quality, Kansas Department of Health and Environment, Forbes Field, Topeka, KS 66620-0001. All comments received prior to September 1 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number (KS-AG-90-61/67) and name of applicant as listed when preparing your comments.

If no objections are received prior to September 1, 1990, the Secretary of Health and Environment will issue the final determinations within 30 days of this notice. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state

regulation 28-16-61.

The application, proposed permit, special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Department of Health and Environment offices, Building 740, Forbes Field, Topeka and are open from 8 a.m. to 4:30 p.m. Monday through Friday. The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the above address.

Stanley C. Grant Secretary of Health and Environment

Doc. No. 009549

#### State of Kansas

# Department of Health and Environment Bureau of Environmental Quality

#### Notice Concerning Preventive Health Block Grant

The preventive health and health services block grant renewal application for fiscal year 1990 is available for review and comment. The renewal application for federal funds contains: assurances that the state will meet federal requirements for the block grant; a narrative including a statement(s) of goals and objectives; a description of program activities to be supported; distribution of funds; and, a final report on the fiscal year 1990 preventive block grant. The application will be submitted to the Centers for Disease Control, Atlanta, Georgia, by August 15, 1990.

The document is available upon request at the cost to KDHE of copying. Written comments on the 1991 grant should be submitted to Charles Konigsberg, MD, MPH, Director of Health, Landon State Office Building, 900 S.W. Jackson, Topeka, KS 66612-1290.

Stanley C. Grant Secretary of Health and Environment

Doc. No. 009551

#### State of Kansas

## Department of Health and Environment

## Public Notice on Proposed Permit Action

The Secretary of Health and Environment is proposing to issue a permit in accordance with K.A.R. 28-19-14 (permits required) to J. and R. Sand Co., Inc. (JR), Liberal, to install and operate a portable asphalt concrete mixing plant at Section 4, T27S, R26W, Ford County.

Written materials, including the permit application and information relating to the application submitted by JR, draft permit, permit summary and analysis of KDHE describing the basis for the proposed permit, are available for public inspection during normal business hours

through August 31 by contacting Wayne Neese, KDHE, 302 W. McArtor Rd., Dodge City 67801, (316) 225-0596. This material can also be reviewed at the KDHE office in Building 740, Forbes Field, Topeka. Questions concerning this proposed permit should be directed to L. C. Hinther, KDHE, Forbes Field, Topeka, (913) 296-1576.

K.S.A. 65-3008 provides that any person affected by the issuance of a permit can request a public hearing prior to issuance of the permit. The request must be in writing and addressed to the secretary. If the secretary determines there is sufficient reason in the request, a public hearing will be conducted. The place, date and time of the hearing will be announced in this publication. Comments on the proposed permit must be submitted to the secretary, KDHE, Landon State Office Building, 900 S.W. Jackson, Topeka 66612, before August 31.

Stanley C. Grant Secretary of Health and Environment

Doc. No. 009550

## State of Kansas State Conservation Commission

#### **Notice to Contractors**

Sealed bids for the construction of a 38,571 cubic yard detention dam, Site SP-5 in Butler County, will be received by the Whitewater River Watershed Joint District No. 22 at the District Office, 2435 W. Central, El Dorado 67042, until 2 p.m., then will be opened at 2:15 p.m. on September 10. A copy of the invitation for bids and the plans and specifications can be obtained from the district office, (316) 321-5891.

Kenneth F. Kern Executive Director

Doc. No. 009536

#### State of Kansas

#### Kansas Water Authority

#### **Notice of Meeting**

The next meeting of the Kansas Water Authority is scheduled for Tuesday, August 14, 1990, at the Leavenworth Community Center (Old Depot), N. Esplande and Delaware Streets, Leavenworth. Committees of the Authority will begin at 10 a.m. with the full Kansas Water Authority convening at 1 p.m.

Persons not on the Kansas Water Authority mailing list may obtain a copy by contacting Dotty Kester, 109 S.W. 9th St., Suite 200, Topeka, KS 66612-1215, (913) 296-3185.

John L. Baldwin Chairman, Kansas Water Authority

### Legislature

#### Interim Committee Schedule

Date	Room	Time	Committee	Agenda
August 6-10		NCSL	Annual Meeting	Nashville, Tennessee
August 13 August 14	514-S 514-S	10:00 a.m. 9:00 a.m.	Joint Committee on Administrative Rules and Regulations	Review of rules and regulations filed by: Department of Revenue; Department of Health and Environment; Board of Emergency Medical Services; Corporation Commission; Board
				of Education; KPERB; Consumer Credit Commission; Department of Administration; Department of Wildlife and
				Parks; Department of Corrections; Secretary of State; Kansas Department of Transportation; Board of Nursing; Behavioral Sciences Regulation Board; and the Kansas State Fair.
August 13 August 14	519-S 519-S	10:00 a.m. 9:00 a.m.	Special Committee on Ways and Means/Appropriations	13th: Committee discussion on Proposal No. 41—Hazardous Waste Disposal Fees and Proposal No. 40—KPERS Retirement Issues; Public hearing on Proposal No. 37—KSU State Forestry Program. 14th: Public hearings on Proposal No. 39—Regents System Issues.
August 14	531-N	10:00 a.m.	Kansas Select Commission on Ethical Conduct	Review current legislation and commission discussion with directions to staff.
August 16 August 17	519-S 519-S	10:00 a.m. 9:00 a.m.	Special Committee on Assessment and Taxation	16th: Proposal No. 1—Property Tax Issues; Post Audit Reports on Tax Lids; Department of Administration Comments on Tax Lids; Public Hearing on Proposal No. 10—Excise Tax or Rental Vehicles. Proposal No. 5—Oil & Cas Owners Trust. 17th: Proposal No. 2—Sales Tax Base: Harley Duncan, Executive Director, Federation of Tax Administration; Proposal
August 16 August 17	Wichita Wichita		Joint Committee on Economic Development	No. 3—Motor Vehicle Tax.  16th: Tour of the National Institute for Aviation Research, Wichita State University, and presentations on workforce
				training issues.  17th: Presentations on workforce training issues continued.

Emil Lutz
Director of Legislative
Administrative Services

#### Kansas Bureau of Investigation

## Request for Proposals for Office and Laboratory Space

The Kansas Bureau of Investigation requires approximately 7,500 square feet of office and laboratory space in Great Bend for a five-year lease with special electrical, plumbing, and venting requirements for the laboratory. Submit written proposal not later than 4 p.m. August 13 to the Kansas Bureau of Investigation, 1620 Tyler, Topeka 66612, Attn: Doug Jorgensen. More specific square footage, plumbing, electrical, and venting requirements are available upon request by calling Doug Jorgensen at (913) 232-6000.

James Malson Director

Doc. No. 009560

#### State of Kansas

#### **Attorney General**

Opinion No. 90-84

Cities of the First Class—Board of Commissioners—Filling Vacancies in the Office of Mayor or Commissioner. Richard D. Dearth, Parsons City Attorney, Parsons, July 19, 1990.

Where there has been a violation of the common law rule cited in Attorney General Opinion No. 90-59, both resignations and reappointments should be considered a nullity. Cited herein: K.S.A. 1989 Supp. 13-1806. TRH

#### Opinion No. 90-85

Cities of the Third Class—Powers and Duties of the Mayor—Vacancy in Office of Mayor. Richard Sanborn, Mulvane City Attorney, Wichita, July 19, 1990.

K.S.A. 1989 Supp. 15-311 prescribes that in case of temporary absence of the mayor, "the president of the council for the time being shall exercise the office of mayor, with all the rights, privileges and jurisdiction of the mayor, other than the appointment of officers pursuant to K.S.A. 15-204 and amendments thereto . . . until the mayor shall return." Thus, in the temporary absence of the mayor, the president of the council may exercise the mayoral power under K.S.A. 15-201 to fill vacancies in the city council until the next election for the office. Cited herein: K.S.A. 15-201; K.S.A. 1989 Supp. 15-204; 15-311. TRH

#### Opinion No. 90-86

Roads and Bridges; Roads—General Provisions; Laying Out and Opening Roads—The Effect of the 1989 Non-User Statute on an Unopened Road. Lancaster Township Board, c/o Bill Pruett, Lancaster, July 19, 1990.

Pursuant to L. 1879, ch. 150, an authorized county road which remained unopened for seven years became vacated by operation of law. The subsequent repeal of that statute does not affect the vacation of a county road which occurred prior to the statute's repeal. Cited herein: K.S.A. 77-201; Laws 1879, ch. 150. CN

#### Opinion No. 90-87

Cities and Municipalities—Emergency Telephone Services—Emergency Telephone Tax; Use of Proceeds. John B. Klenda, McPherson County Counselor, Marion, July 25, 1990

Equipment used to receive and record emergency calls, or used to relay or dispatch emergency information to response units may be purchased with funds raised pursuant to K.S.A. 1989 Supp. 12-5304. Items such as office furniture or equipment which do not interact with the system as a whole and which do not directly contribute to the common purpose of the 911 system may not be purchased with such funds. Cited herein: K.S.A. 12-5301; 12-5302, as amended by L. 1990, ch. 78, §1; K.S.A. 1989 Supp. 12-5304. TMN

#### Opinion No. 90-88

Courts—District Courts; Miscellaneous Provisions—Parole and Court Services Officers; County Commissioners Responsible for Certain Expenses of District Court Operations; Travel Expenses of Court Services Officers. Howard Schwartz, Judicial Administrator, Topeka, July 25, 1990

Pursuant to K.S.A. 20-346a and 20-348, travel expenses incurred by court services officers should be included in the county budget for the operation of the district court rather than paid by the state as compensation to the individual court services officer. Cited herein: K.S.A. 19-101a; 20-341; 20-346a; 20-348; 20-349; 20-359; 75-3201; 75-3203; 75-3203a. TMN

#### Opinion No. 90-89

Schools—Organization, Powers and Finances of Boards of Education—Clerk; Appointment and Duties; Custody of Records Laws, Journals and Public Information—Records Open to Public—Definitions; Official Custodian. David Shriver, Legal Counsel for School Board of Canton—Galva U.S.D. No. 419, McPherson, July 25, 1990

K.S.A. 72-8202c(b) legislatively designates the clerk of a school board as the entity responsible for the maintenance of school board records. Thus, the clerk of a school board is the official custodian of school board records. However, K.S.A. 45-217 and 45-220 permit the official custodian to designate other persons as necessary to carry out the duties of the custodian under the provisions of the Kansas open records act. Cited herein: K.S.A. 45-215; 45-217; 45-220; 72-8202; 72-8202b, 72-8202c. TMN

Robert T. Stephan Attorney General

#### Secretary of State

#### **Executive Appointments**

Executive appointments made by the Governor, and in some cases by other state officials, are filed with the Secretary of State's office.

Complete listings of state agencies, boards and commissions are included in the Kansas Directory. County officials are listed in the Directory of County Officers. Both directories are published by the Secretary of State's office and are available free of charge.

The following appointments were filed July 9-30:

#### **Kansas Arts Commission**

Julie Britton, Secretary-Treasurer, 306 Kunkle Drive, Ellsworth 67439. Term expires June 30, 1991. Succeeds Linda Lee Woodbury.

Callie Allen Seaton, 2 Easy St., Winfield 67156. Term expires June 30, 1994. Succeed Ellen Nesselrode Hoch.

Mona Willis, President, 3731 E. Kellogg, Wichita 67218. Term expires June 30, 1991. Succeeds Lucinda Foster.

Linda Lee Woodbury, Vice President, 3103 Harland Court, Topeka 66604. Term expires June 30, 1991. Succeeds Mona Willis.

#### Kansas Board of Barbering (1990 House Bill 2466)

Keith E. Olson, 1103 W. Crawford, Salina 67401. Term expires April 30, 1991. Succeeds Terry Stearman, resigned.

Terry Stearman, Chairman, 3809 N.E. Kimball Road, Topeka 66617. Term expires June 30, 1993. Succeeds Louis Armstrong.

#### Behavioral Sciences Regulatory Board

Donald J. Fort, 2206 Manor Fort, Dodge City 67801. Term expires June 30, 1994. Succeeds William Albott.

Joseph N. Robb, P.O. Box 544, Newton 67114. Term expires June 30, 1994. Succeeds Delbert Potter.

Sharon Tatman Russell, 704 Spruce, Coffeyville 67337. Term expires June 30, 1994. Succeeds Marvin Kaiser.

#### State Building Advisory Commission

H.D. Woods, 718 Main, P.O. Box 780, Hays 67601. Term expires July 15, 1994. Succeeds H.A. Bell, resigned.

#### Commission on Civil Rights

Ann Papay, 502 N. Sullivan, Ulysses 67880. Term expires July 15, 1994. Subject to Senate confirmation. Succeeds Lou Smith.

Advisory Council of Community Colleges Shirley Palmer, Route 5, Box 118, Fort Scott 66701. Term expires December 31, 1993. Reappointment.

Kansas Select Commission on Ethical Conduct (Established by 1990 Senate Substitute for Substitute for House Bill 3065)

Marjorie M. Robards, 307 Quinton, Topeka 66606.

Northwest Kansas Regional Library System

Cheryl Coberly, Route 1, Box 24A, Gove 67736. Term expires July 15, 1994.

#### Kansas Parole Board

R. D. "Bob" Miller, 516 Sunset, Box 106, Russell 67665. Term expires July 31, 1994. Subject to Senate confirmation. Succeeds Elwaine Pomeroy.

State Examining Committee for Physical Therapy Joan Arterburn, P.O. Box 4252, Topeka 66604. Term expires June 30, 1994. Reappointment.

#### Kansas Racing Commission

Peggy Russell Coder, 301 Crestview Drive, Independence 67301. Term expires June 30, 1993. Subject to Senate confirmation. Succeeds Alfred Schroeder.

#### Respiratory Therapist Council

Charles S. Cornfield, 3051 Cranberry, Wichita 67226. Term expires June 30, 1993. Reappointment.

Kelly J. Magsam, P.O. Box 482, Meade 67864. Term expires June 30, 1992. Succeeds Kenneth Killion, resigned.

Bill Graves Secretary of State

#### State of Kansas

## Department of Administration Division of Architectural Services

## Notice of Commencement of Negotiations for Engineering Services

Notice is hereby given of the commencement of negotiations for "on-call" engineering services for the Kansas College of Technology, Salina. Interested firms should be capable of assisting university personnel on miscellaneous small engineering projects for two to three years.

For additional information contact Norman Moody, Division of Architectural Services, 625 Polk, Topeka, KS 66603, (913) 233-9367, on or before August 17, 1990.

Edward A. Martin, AIA
Director of Architectural Services

Doc. No. 009541

#### State of Kansas

#### Abstracters' Board of Examiners

#### **Notice of Examination**

An examination of persons desiring to secure registration and becoming subject to license to engage in the business of making, compiling or completing and selling abstracts of title to real estate in the state of Kansas will be conducted at 8 a.m. Saturday, September 15, at the Marcus Center for Continuing Education, Wichita State University, 4201 E. 21st, Wichita.

Interested persons must send an application and \$35 fee by September 8 to the executive secretary of the board, P.O. Box 218, Jetmore 67854.

Joanne Clarke Executive Secretary

#### **State Corporation Commission**

#### Notice of Motor Carrier Hearing

Applications set for hearing, are to be heard before the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka at 9:30 a.m. unless otherwise noticed.

This list does not include cases previously assigned hearing dates for which parties of record have received notice.

Questions concerning applications for hearing dates should be addressed to the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka 66604-4027, (913) 271-3196 or 271-3149.

Your attention is invited to Kansas Administrative Regulations 82-1-228, "Rules of Practice and Procedure Before the Commission."

#### Applications set for August 14, 1990

## Application for Transfer of Certificate of Convenience and Necessity:

Vernon L. Gee and Bob C. ) Docket No. 145,888 M
Stimatze, )
dba Gee Oil Service )
702 E. 1st )
St. John, KS 67576 ) MC ID No. 122297
TO:
Vernon L. Gee, dba

Gee Oil Service 702 E. 1st

St. John, KS 67576

Applicant's Attorney: Bob Storey, Shadow Wood Office Park, 5863 S.W. 29th, Topeka, KS 66614-2493

Crude oil, used in and for production, processing, treating, salvage, construction and for lease road purposes, fresh water and salt water.

Between points and places in Barton, Rice, Hodgeman, Pawnee, Edwards, Stafford, Reno, Kiowa, Pratt, Kingman, Comanche and Barber counties, Kansas.

#### \*\*\*\*

## Application for Extension of Certificate of Convenience and Necessity:

 Vernon L. Gee, dba
 ) Docket No. 145,888 M

 dba Gee Oil Service
 )

 702 E. 1st
 )

 St. John, KS 67576
 ) MC ID No. 122297

Applicant's Attorney: Bob Storey, Shadow Wood Office Park, 5863 S.W. 29th Street, Topeka, KS 66614-2493

Crude oil, used in and for production, processing, treating, salvage, construction and for lease road purposes, fresh water and salt water,

Between points and places in Barton, Rice, Hodgeman,

Pawnee, Edwards, Stafford, Reno, Kiowa, Pratt, Kingman, Comanche, Rush, Barber, Clark, Ellis, Ellsworth, Finney, Ford, Gove, Gray, Harper, Lane, Lincoln, Meade, Ness, Russell and Trego counties, Kansas.

#### \*\*\*\*

## Application for Certificate of Convenience and Necessity:

Roy E. Hedrick, dba ) Docket No. 171,839 M Wharf Road Antiques ) Route 11 ) MC ID No. 134891

Applicant's Attorney: None

General commodities (except classes A and B explosives and hazardous materials),

Between all points and places in the state of Kansas.

## Application for Certificate of Convenience and Necessity:

K & S Trucking, Inc. ) Docket No. 171,841 M 107 N. 7th ) Leoti, KS 67861 ) MC ID No. 137201

Applicant's Attorney: Clyde Christey, Southwest Plaza Building, Suite 202, 3601 W. 29th, Topeka, KS 66614

Livestock, grain, hay, feed, feed ingredients, fertilizer, fertilizer ingredients (except anhydrous ammonia), salt, seeds, construction and building materials, fencing materials and machinery,

Between all points and places in the state of Kansas.

#### \*\*\*\*

## Application for Abandonment of Certificate of Convenience and Necessity:

Carter Lamb, Jr., dba ) Docket No. 169,676 M
Carter's Emergency Road )
Service )
316 N. Osage )
Caldwell, KS 67022 ) MC ID No. 136355
Applicant's Attorney: None

## Application for Certificate of Convenience and Necessity:

Oxford Transportation, Inc. ) Docket No. 171,838 M 6242 Merriam Lane ) MC ID No. 123087

Applicant's Attorney: John Jandera, 1610 S.W. Topeka Blvd., P.O. Box 237, Topeka, KS 66612-1840

General commodities (except household goods, classes A and B explosives, commodities in bulk and hazardous materials).

Between points and places in the state of Kansas.

#### \*\*\*\*

## Application for Certificate of Convenience and Necessity:

James R. Rice, III, dba
Great Plains Towing
711 S.W. Park Lane
Topeka, KS 66606

) Docket No. 171,837 M
)
) MC ID No. 136044

Applicant's Attorney: None

Wrecked, disabled, repossessed and replacement vehicles, Between all points in Shawnee, Douglas, Jackson, Jefferson, Osage, Pottawatomie, Wabaunsee, Riley, Franklin, Leavenworth, Wyandotte, Johnson and Atchison counties, Kansas, on the one hand, and all points and places in the state of Kansas, on the other hand.

\*\*\*\*

## Application for Abandonment of Certificate of Convenience and Necessity:

Joseph R. Valdez, Sr., dba ) Docket No. 148,295 M Valdez Service ) 1201 Argentine Blvd. ) Kansas City, KS 66105 ) MC ID No. 121858 Applicant's Attorney: None

#### Applications set for August 21, 1990

## Application for Transfer of Certificate of Convenience and Necessity:

Dale A. Barnes, dba
Dale Barnes Trucking

106 Cloud
Clifton, KS 66937

TO:
Dale Barnes Trucking, Inc.
102 W. Court St.
Beloit, KS 67420

Applicant's Attorney: Eugene Hiatt, 627 S. Topeka Blvd., Topeka, KS 66603-3294

#### Grain,

Between all points and places in the state of Kansas west of Highways 15, 135 (south of Newton) and 35 (Kansas Turnpike south of Wichita), to the Oklahoma border.

Between all points and places in the state of Kansas west of Highways 15, 135 (south of Newton) and 35 (Kansas Turnpike south of Wichita), to the Oklahoma border, and all points and places in the state of Kansas.

#### Petroleum and petroleum products,

Between all Kansas refineries and pipeline terminals in the state of Kansas to all points and places in Republic, Cloud, Clay and Washington counties, Kansas.

All fertilizer, fertilizer ingredients in bulk, bag and tank, agricultural chemicals, seeds, all machinery and equipment used in handling, shipping and application and storage of all fertilizer, feed and feed ingredients in bulk, bag and tank.

Between all points and places in the state of Kansas.

## Application for Certificate of Convenience and Necessity:

Phillip G. Cline, dba Docket No. 171,843 M Cline Trucking Soute 1 DMcLouth, KS 66054 MC ID No. 137814

Applicant's Attorney: None

Cars, farm equipment, wrecked, disabled, repossessed and replacement motor vehicles,

Between all points and places in Jefferson, Douglas, Wyandotte and Leavenworth counties, Kansas.

Also

Between all points and places in the above-named counties, on the one hand, and the state of Kansas, on the other.

## Application for Certificate of Convenience and Necessity:

Ivan Dickey, Jean Dickey and Duane Dickey, dba )
Dickey Trucking )
Route 3, Box 8A )
Ulysses, KS 67880 ) MC ID No. 137204
Applicant's Attorney: David Heinemann, 1135 College Drive, Suite K, Garden City, KS 67846

General commodities (except classes A and B explosives and household goods),

Between all points and places in Kansas.

## Application for Certificate of Convenience and Necessity:

S & S Trailer Sales, Inc. ) Docket No. 171,845 M HC61, Box 3A ) Ness City, KS 67560 ) MC ID No. 137203

Applicant's Attorney: Clyde Christey, Southwest Plaza Building, Suite 202, 3601 W. 29th St., Topeka, KS 66614

Machinery, iron and steel articles, building and construction materials, fencing materials, grain, hay, dry feed, dry feed ingredients, seeds, dry fertilizer and dry fertilizer ingredients and vehicles,

Between points and places in the state of Kansas.

#### Livestock,

Between points and places in Cheyenne, Sherman, Wallace, Greeley, Hamilton, Stanton, Morton, Rawlins, Thomas, Logan, Wichita, Scott, Kearny, Finney, Grant, Haskell, Stevens, Seward, Decatur, Sheridan, Gove, Lane, Gray, Meade, Norton, Graham, Trego, Ness, Hodgeman, Ford, Clark, Phillips, Rooks, Ellis, Rush, Pawnee, Edwards, Kiowa, Comanche, Smith, Osborne, Russell, Barton, Stafford, Pratt, Barber, Jewell, Mitchell, Lincoln, Ellsworth, Rice, Reno, Kingman, Harper, Republic, Cloud, Ottawa, Saline, McPherson, Harvey, Sedgwick and Sumner counties.

Also.

Between the above-described counties, on the one hand, and points and places in the state of Kansas, on the other hand.

## Application for Extension of Certificate of Convenience and Necessity:

Triangle Trucking, Inc.

P.O. Box 6140

Salina, KS 67401

) Docket No. 137,255 M
) MC ID No. 117464

Applicant's Attorney: John Jandera, 1610 S.W. Topeka Blvd., P.O. Box 237, Topeka, KS 66612-1840

General commodities (except household goods, classes A and B explosives, commodities in bulk and hazardous materials),

Between all points and places in Kansas.

#### Application for Certificate of Convenience and Necessity:

Whitfield Sand & Concrete, ) Docket No. 171,844 M Inc. 1100 S. Jackson

Pratt, KS 67124

) MC ID No. 115563

Applicant's Attorney: John Jandera, 1610 S.W. Topeka Blvd., P.O. Box 237, Topeka, KS 66612-1840

General commodities (except household goods, classes A and B explosives and hazardous materials),

Between points in the Kansas counties of Sumner, Sedgwick, Harvey, Harper, Kingman, Reno, McPherson, Rice, Barton, Rush, Stafford, Pratt, Barber, Comanche, Kiowa, Edwards, Pawnee, Ness, Hodgeman, Ford and Clark.

Between points and places in the above counties, on the one hand, and the state of Kansas, on the other hand.

#### Application for Certificate of Convenience and Necessity:

MP Transport, Inc. ) Docket No. 171,848 M 1225 E. Michigan Ulysses, KS 67880 ) MC ID No. 138498

Applicant's Attorney: Clyde Christey, Southwest Plaza Building, Suite 202, 3601 W. 29th, Topeka, KS 66614

General commodities (except household goods, classes A and B explosives and anhydrous ammonia),

Between points and places in Cheyenne, Sherman, Wallace, Greeley, Hamilton, Stanton, Morton, Rawlins, Thomas, Logan, Wichita, Scott, Kearny, Finney, Grant, Haskell, Stevens, Seward, Decatur, Sheridan, Gove, Lane, Gray, Meade, Norton, Graham, Trego, Ness, Hodgeman, Ford, Clark, Phillips, Rooks, Ellis, Rush, Pawnee, Edwards, Kiowa, Comanche, Smith, Osborne, Russell, Barton, Stafford, Pratt, Barber, Jewell, Mitchell, Lincoln, Ellsworth, Rice, Reno, Kingman, Harper, Republic, Cloud, Ottawa, Saline, McPherson, Harvey, Sedgwick, Sumner, Washington, Marshall, Clay, Riley, Dickinson, Geary, Morris, Marion, Butler and Cowley counties.

Also.

Between points and places in the above-described counties, on the one hand, and points and places in the state of Kansas, on the other hand.

#### Application for Certificate of Convenience and Necessity:

Mathews Hardware, Inc., dba) Docket No. 171,847 M Mathews Trucking Route 1, Box 213

Perry, KS 66073

) MC ID No. 138463

Applicant's Attorney: Clyde Christey, Southwest Plaza Building, Suite 202, 3601 W. 29th, Topeka, KS 66614

Grain, dry feed, dry feed ingredients, dry fertilizer, seeds, salt, building and construction materials, fencing materials, iron and steel articles and machinery, Between points and places in the state of Kansas.

#### Application for Extension of Certificate of Convenience and Necessity:

Kindsvater, Inc. ) Docket No. 15,559 M P.O. Box 1027

Dodge City, KS 67801 ) MC ID No. 100028

Applicant's Attorney: Clyde Christey, Southwest Plaza Building, Suite 202, 3601 W. 29th St., Topeka, KS

General commodities (except household goods and classes A and B explosives).

Between all points and places in the state of Kansas.

Alfonzo A. Maxwell Administrator Transportation Division

Doc. No. 009555

#### State of Kansas

#### Department of Administration **Division of Purchases**

#### Notice to Bidders

Sealed bids for items hereinafter listed will be received by the Director of Purchases, Landon State Office Building, 900 S.W. Jackson, Room 102, Topeka, until 2 p.m. C.D.T. whichever is in effect on the date indicated, and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information.

#### Monday, August 13, 1990 26710

Department of Social and Rehabilitation Services-Janitorial services, Wichita

Department of Administration, Division of Facilities Management, Buildings and Grounds Services-Lease of pagers

#### 28295

Department of Wildlife and Parks-Stone posts 84811

Pittsburg State University—Furnish and install heating and air conditioning equipment 84826

Department of Administration, Division of Printing-

1.2GB disk drive for DG MV7800 system

#### 84830 Fort Hays State University—Upgrade/Replace AT&T 3B15 computer with 3B2/1000-70

#### Tuesday, August 14, 1990

#### 27293

Statewide—Printing and offset duplicating supplies

28293

Norton Correctional Facility—Cleaning chemicals and supplies

28294

Topeka Correctional Facility-West—Dishwashing supplies

84816

Department of Wildlife and Parks—Furnish and construct shelter house, Wakeeney

84817

Kansas Correctional Industries—Aluminum sheets 84818

Kansas Correctional Industries—Cold rolled steel sheets

84820

University of Kansas Medical Center—Vehicle 84864

Kansas State University—Corn

Wednesday, August 15, 1990

26888

Wichita State University—Publication and delivery of course schedules

84815

Highway Patrol, Department of Corrections, Kansas State University and Department of Human Resources—Photographic, audio and video equipment 84832

Pittsburg State University—Asbestos removal services 84879

Department of Administration, Division of Facilities Management—Mini blinds

Thursday, August 16, 1990

27530

Statewide—Microcomputer software

84850

University of Kansas Medical Center—Die cut labels 84872

Department of Administration, Division of Accounts and Reports—Setoff system

Friday, August 17, 1990

84805

Wichita State University—Professional audio and video equipment

84856

Department of Health and Environment—Plain paper copier

84866

University of Kansas Medical Center-9MM pistols

Tuesday, August 28, 1990

84828 rsitv—IBM 315

Kansas State University—IBM 3151-31 terminals or equivalent

84829

Kansas State University—Equinox parts or equivalent 84867

University of Kansas—Install telecommunications PDS project

Wednesday, August 29, 1990

84827

University of Kansas Medical Center—Mainframe laser printer

84831

Kansas State University—Cabletron components or equivalent

Thursday, August 30, 1990 84844

Department of Commerce—IBM 9348 tape unit for AS/400 or equivalent

Nicholas B. Roach Director of Purchases

Doc. No. 009554

#### State of Kansas

#### Kansas Judicial Council

#### **Notice of Meetings**

The Judicial Council and its advisory committees have scheduled the following meetings:

Date	Committee	Time	Location
Aug. 9	PIK	9:30 a.m.	Judicial Center, Rm. 259
Aug. 17	Criminal Law	9:30 a.m.	Judicial Center, Rm. 259
Aug. 24	Civil Code	9:30 a.m.	Judicial Center, Rm. 259
Sept. 7	Family Law	9:30 a.m.	Judicial Center, Rm. 259
Sept. 14	Iudicial Council	9:00 a.m.	Judicial Center, Rm. 259
Sept. 20	Care & Treatment	9:30 a.m.	Judicial Center, Rm. 259
Sept. 21	Probate Law	9:30 a.m.	Judicial Center, Rm. 259
Sept. 21	Criminal Law	9:30 a.m.	Judicial Center, Rm. 259
Sept. 21	PIK	9:30 a.m.	Judicial Center, Rm. 259
Sept. 28	Civil Code	9:30 a.m.	Judicial Center, Rm. 259

Justice Richard W. Holmes Chairman

Doc. No. 009545

#### State of Kansas

#### State Fire Marshal

## Permanent Administrative Regulations

#### Article 1.—KANSAS FIRE PREVENTION CODE

22-1-1. Kansas fire prevention code. (a) When a municipality adopts one of the nationally recognized fire codes or the fire protection segment of a nationally-recognized building code and modifies a section of that code, a summary of such modifications shall be submitted to the state fire marshal office. Such modifications shall be reviewed and approved or rejected by the state fire marshal. The municipality shall be notified of the action within 30 days from receipt of the summary.

(b) Any building code package adopted by a municipality shall reference the 1990 edition of the National

Electrical Code.

(c) Any alternate method of fire protection which has been approved by a local board of appeals as a substitute for strict compliance with code requirements shall be deemed to be in compliance with the Kansas fire prevention code.

(d) Any question arising as to whether another state statute or an enactment of a municipality is inconsistent

with the provisions of the fire prevention code shall be resolved by the state fire marshal after a hearing with all interested parties. Any decisions of the state fire marshal made under authority of this subsection shall be appealable in accordance with the provisions of K.S.A. 31-142. (Authorized by and implementing K.S.A. 1989 Supp. 31-133; effective May 1, 1981; amended May 1, 1985; amended Aug. 28, 1989; amended Sept. 17, 1990.)

# Article 3.—REGULATORY STANDARD FOR TANK VEHICLES FOR FLAMMABLE AND COMBUSTIBLE LIQUIDS

22-3-2. Mobile home installations, sites and communities. (a) National fire protection association pamphlet no. 501A, effective June 30, 1987, chapters 1 through 5, including appendices a, b, c and d, 1987 edition, is hereby adopted by reference, except section 4-1 and section 4-3.6.1.

(b) The use of space under manufactured homes for the storage of combustible materials, or for the placement or storage of flammable liquids, gases or liquid or gas fuel powered equipment is prohibited.

(c) The storage of combustible materials, flammable liquids, gasses or liquid or gas fuel powered equipment in accessory buildings and structures is permitted providing the accessory building or structure is located no less than

10 feet from an existing home or structure.

(d) Upon application by a person aggrieved by the requirements of this regulation, a variance from the requirements may be granted or additional time allowed for the person to comply with such requirements, if, after an opportunity to investigate, pursuant to K.S.A. 31-139, the state fire marshal finds that the condition, structure or activity in noncompliance poses no immediate life safety hazard. The findings of such an investigation shall be released to the applicant within seven days of the said investigation. (Authorized by and implementing K.S.A. 1989 Supp. 31-133; effective Aug. 28, 1989; amended Sept. 17, 1990.)

#### Article 4.—EXPLOSIVE MATERIALS

22-4-1. Explosive materials. National fire protection association pamphlet no. 495, chapters 1 through 9, including appendices a, b, c and d, 1985 edition, effective June 26, 1985, is hereby adopted by reference, except for section 1-1.3, the exemption for state or municipal agencies and except section 2-1.6. (Authorized by and implementing K.S.A. 1989, Supp. 31-133; effective May 1, 1980; amended May 1, 1985; amended May 1, 1986, amended Sept. 17, 1990.)

22-4-4. Purchase of Explosive Materials in contiguous state. (a) A person who holds a valid Kansas explosive user permit may purchase explosive materials from a federally licensed dealer located in a state contiguous to the state of Kansas and may have explosive materials purchased in a contiguous state transported to a properly permitted explosives storage site in Kansas.

(b) A person who holds a Kansas explosives user permit may not transport explosive materials across a state line in that person's own explosives transport vehicle unless that person also holds a valid explosive permit issued by the U.S. treasury department, bureau of alcohol, tobacco and firearms authorizing such activity. (Authorized by and implementing K.S.A. 1989 Supp. 31-133; effective Sept. 17, 1990.)

## Article 7.—FLAMMABLE AND COMBUSTIBLE LIQUIDS

22-7-1. Flammable and combustible liquids. National fire protection association pamphlet no. 30 1987 edition, effective August 7, 1987, is hereby adopted by reference. (Authorized by and implementing K.S.A. 1989 Supp. 31-133; effective, E-80-16, Oct. 17, 1979; effective May 1, 1980; amended May 1, 1983; amended May 1, 1986; amended Sept. 17, 1990.)

22-7-2. Containers for petroleum products. (a) Each container for gasoline shall be red and the word "gasoline"

shall be embossed or printed on the container.

(b) Each plastic container manufactured and sold for the storage of petroleum products shall meet the standards set forth in section 4-2.1 of national fire protection association pamphlet no. 30, 1987 edition. Each container shall bear a label verifying that the container meets this standard. (Authorized by and implementing K.S.A. 1989 Supp. 31-133; effective, E-80-16, Oct. 17, 1979; effective May 1, 1980; amended May 1, 1987; amended Sept. 17, 1990.)

22-7-5. Automotive and marine service stations. National fire protection association pamphlet no. 30a, 1987 edition, effective June 30, 1987, chapters 1 through 9, except section 4-4, paragraphs 4-4.1 through 4-4.3 and section 8-1, paragraphs 8-1.2.1 through 8-1.5, is hereby adopted by reference. (Authorized by and implementing K.S.A. 1989 Supp. 31-133; effective May 1, 1986; amended Sept. 17, 1990.)

#### Article 8.—LIQUEFIED PETROLEUM GASES

22-8-1. Liquefied petroleum gases. (a) National fire protection association pamphlet no. 58, 1989 edition, effective February 6, 1989, is hereby adopted by reference.

(b) Each person who manufactures, transports or stores liquefied petroleum gases shall comply with the requirements set forth in the pamphlet referred to in (a) of this

regulation.

(c) The requirements of pamphlet no. 58 may be modified for a specific facility. If the fire marshal finds that a specific facility would not present an immediate life safety hazard, the requirements of pamphlet no. 58 may be modified for that facility, the facility may be completely exempted from the requirements of pamphlet no. 58 or extensions of time for corrections may be allowed by the fire marshal. (Authorized by and implementing K.S.A. 1989 Supp. 31-133; effective May 1, 1979; amended, E-82-28, Dec. 22, 1981; amended May 1, 1984; amended Aug. 28, 1989; amended Sept. 17, 1990.)

#### Article 10.—INSTALLATION AND CERTIFICATION STANDARDS FOR EXTINGUISHING DEVICES

22-10-3. Registration certificate. (a) Each business

that services, recharges, installs or inspects portable fire extinguishers or fixed extinguishing systems or hydrostatically tests these cylinders or any combination of them shall obtain a registration certificate issued by the state fire marshal unless otherwise exempted by these regulations. The registration certificate shall indicate the class or classes of acts that are authorized. A certified business is prohibited from providing services under the registration number of another certified business. A certified business shall be allowed to take orders for a class or classes of acts that are not authorized by the registration certificate if these orders are consigned to another business that is certified to perform the necessary class or classes of acts indicated by the order.

(b) The registration certificate shall indicate one or

more of the following class or classes:

(1) class RA, which permits servicing, charging, recharging, installing or inspecting fixed extinguishing systems;

(2) class RB, which permits servicing, charging, recharging, installing or inspecting portable fire extinguish-

ers; or

(3) class RC, which permits hydrostatic testing of non-DOT cylinders, including wet chemical or dry chemical containers. Only those acts covered by the class or classes of the certificate can be undertaken by the business holding the certificate.

(c) Each business that desires to obtain a registration certificate shall make a verified, written application to the state fire marshal. The application shall be signed by the sole proprietor, or each partner, or by an officer of the corporation, firm or business. Application forms shall be available on request from the state fire marshal.

(d) For a class RA registration certificate, the following

items shall accompany the application:

(1) Proof of insurance providing a minimum of \$300,000 coverage for comprehensive general liability for bodily

injury and property damage;

(2) written authorization from each fixed extinguishing system manufacturer whose products are used by the business. This authorization shall include the type or types of systems the business is authorized to install or service. This authorization shall remain valid until the termination of the training certificate issued to the employee upon whose training the certification of the business is based unless cancelled for misconduct; and

(3) an application fee in the amount of \$50. No fee shall be charged for any person who is an officer or employée of the state or any political or taxing subdivision of the state when that person is acting on behalf of the state or

political or taxing subdivision.

(e) For a class RB or RC registration certificate, proof of insurance which provides a minimum of \$50,000 coverage for comprehensive general liability for bodily injury and property damage and an application fee in the amount of \$25 shall accompany the application. No fee shall be charged for any person who is an officer or employee of the state or any political or taxing subdivision of the state when that person is acting on behalf of the state or political or taxing subdivisions.

(f) If the state fire marshal finds, after reviewing a business' application, insurance information, record of services, servicing and shop facilities and methods and

procedures of operations, that the granting or renewing of a registration certificate would not be contrary to public safety and welfare, a certificate for the appropriate class or classes of registration requested by the business shall be issued or renewed by the state fire marshal. An identifying number shall be assigned by the state fire marshal to each registration certificate.

(g) Each registration certificate issued by the state fire marshal shall be valid for one calendar year. Renewal applications shall be submitted to the state fire marshal by November 30 of the year of expiration. Each renewal shall include the same items required in subsections (d)

and (e) of this regulation.

(h) Evidence of alteration of a registration certificate shall render the certificate invalid and the altered certificate shall be surrendered to the state fire marshal.

(i) A location or ownership change by a certified business shall be reported to the state fire marshal in writing at least 14 days before the change. Failure to notify the state fire marshal of the change may render the registration certificate invalid. Each location or ownership change shall be verified by the state fire marshal or an authorized deputy.

(j) Each registration certificate issued by the state fire marshal shall be posted on the premises of the certified location and shall be available for inspection during normal business hours by the general public or the state fire

marshal or a duly authorized deputy.

(k) A duplicate registration certificate may be issued by the state fire marshal to replace a previously issued registration certificate which has been lost or destroyed. A certified business requesting a duplicate certificate shall submit a written statement attesting to the fact that the registration certificate has been destroyed.

(1) A registration certificate shall not constitute authorization for a certified business or any of its employees to enter any property or building. A registration certificate shall not constitute authorization for a holder of a registration certificate or any of the certificate holder's employees to enforce any provisions of these regulations.

(m) Each business performing hydrostatic testing of cylinders manufactured in accordance with the specifications and procedures of the United States department of transportation shall do so in accordance with the procedures specified by that department for compressed gas cylinders and shall have a valid hydrostatic testing certificate issued by the department of transportation. All hydrostatic testing of DOT cylinders after the expiration date of the hydrostatic testing certificate issued by the United States department of transportation shall be prohibited.

(n) Each certified business shall perform the servicing, charging, recharging, installing or inspecting of portable fire extinguishers or fixed extinguishing systems or hydrostatic testing on non-DOT cylinders in accordance with these regulations and the applicable adopted standards

pertaining to those acts.

(o) Each certified business installing fixed extinguishing systems shall provide the state fire marshal with written notification of each new installation of a fixed extinguishing system in this state. This notification shall contain:

(1) the name of the business and the location of the

installation;

- (2) references to the manufacturer's appropriate installation manual and to the section by which the system was installed;
  - (3) the date of installation;
- (4) the name, address and certificate number of the business making the installation;
  - (5) the make and model of the system; and
- (6) a rough draft of the piping layout and nozzle placement.
- (p) Each new installation of fixed extinguishing systems shall be designed and installed in compliance with the following:
- (1) National fire protection association pamphlet no. 17, standards for dry chemical extinguishing systems, 1985 edition, as adopted by reference in K.A.R. 22-10-14;
- (2) national fire protection association pamphlet no. 17A, standard for wet chemical extinguishing systems, 1986 edition, as adopted by reference in K.A.R. 22-10-17;
- (3) national fire protection association pamphlet no. 96, standards for the removal of smoke and grease laden vapors from commercial cooking equipment, 1987 edition, as adopted by reference in K.A.R. 22-10-13; and
  - (4) the appropriate manufacturer's design specifications.
- (q) A new installation of a fixed extinguishing system may be permitted in an existing range hood for vapor removal not strictly in compliance with national fire protection association pamphlet no. 96 if the state fire marshal determines that no distinct life safety hazard would result.
- (r) The installation of fixed extinguishing systems in self-contained cooking equipment need not comply with national fire protection association pamphlets no. 17, 17A and 96 if designed and installed according to the manufacturer's specifications. (Authorized by and implementing K.S.A. 31-133, 31-133a; effective, E-82-3, Jan. 21, 1981, effective May 1, 1981; amended May 1, 1982; amended, T-83-31, Oct. 25, 1982; amended May 1, 1983; amended Aug. 28, 1989; amended Sept. 17, 1990.)
- 22-10-17. Wet chemical extinguishing systems. National fire protection association pamphlet no. 17A, chapters 1 through 4, including appendices a and b 1986 edition, effective December 30, 1985, is hereby adopted by reference. (Authorized by and implementing K.S.A. 1989 Supp. 31-133, 31-133a; effective May 1, 1987; amended Aug. 28, 1989; amended Sept. 17, 1990.)

# Article 11.—ADULT CARE HOMES, HOSPITALS, RESIDENTIAL CARE FACILITIES AND MATERNITY CENTERS

- 22-11-6. Maternity centers. (a) Definitions. (1) "Code" means the 1988 edition of the national fire protection association pamphlet no. 101, the life safety code.
- (2) "Maternity center" means a facility licensed as a maternity hospital which provides delivery services for normal, uncomplicated pregnancies for not more than three women at any one time.
- (3) "Grade level" means a floor which is level with the surrounding ground and from which it is not necessary to traverse over stairs to exit.
- (b) Location. (1) The labor and delivery room or rooms of a maternity center shall be located on the grade level floor of the building.

- (2) If the state fire marshal determines that sufficient additional precautions have been taken, the location of labor and delivery rooms on floors above grade level may be permitted. Such additional precautions shall include: (A) Fire-resistive or protected non-combustible building construction:
- (B) a properly installed and maintained sprinkler system;
- (C) properly designed ramp access from the floor on which labor and delivery rooms are located, to grade level:
- (D) a one-hour fire-rated wall separating the maternity center from other occupants when located in a building with mixed occupants; and
- (E) other precautions necessary to provide a reasonable degree of life safety.
- (c) The interior finish of the maternity center shall have a flame spread of 75 or less, class B.
- (d) The maternity center shall provide fire extinguishers in accordance with K.A.R. 22-10-12.
- (e) The maternity center shall have a supervised manual and automatic fire alarm system. Properly installed smoke detectors which are interconnected to the fire alarm system shall be strategically placed throughout the maternity center.
- (f) The maternity center shall have an emergency lighting system which automatically provides illumination in the event of an interruption of electrical service.

(g) The maternity center shall have at least two approved exits from each floor. Each exit that is not obvious shall be provided with an approved, lighted exit sign.

- (h) Each maternity center shall have a written evacuation plan. Each staff member shall be informed of and shall have access to, the plan. (Authorized by and implementing K.S.A. 1989 Supp. 31-133; effective May 1, 1981; amended May 1, 1985; amended May 1, 1986; amended Sept. 17, 1990.)
- 22-11-8. Life safety code adopted; one- and two-bed adult care homes, one- and two-bed adult family homes, three- and four-bed boarding care adult care homes, and boarding care homes for the mentally retarded. (a) National fire protection association, life safety code, pamphlet no. 101, 1988 edition, effective February 2, 1988, chapter 21, pertaining to residential board and care occupancies, is hereby adopted by reference. The provisions of chapter 21 shall apply to one- and two-bed adult care homes, one- and two-bed adult family homes, three- and four-bed boarding care adult care homes, and boarding care homes for the mentally retarded.
- (b) A life safety code inspection of a home shall be performed by the state fire marshal or an authorized representative under K.S.A. 31-137 upon request from the Kansas department of health and environment.
- (c) As used in this paragraph "ambulatory" means the physical and mental capability of getting in and out of bed and walking in a normal path to safety in a reasonable period of time without the aid of another person. "Nonambulatory" means the physical or mental incapability of getting in and out of bed and walking a normal path to safety without the aid of another person.
- (1) Ambulatory residents who are able to walk without the aid of another person but are unable to move from place to place without the use of a device such as a walker,

crutches, wheel chair or wheeled platform shall be housed on the ground level of a home, provided handicap accommodations for exiting are present.

- (2) Fully ambulatory residents who do not require the use of a device such as a walker, crutches, wheel chair or wheeled platform may be housed on any level of a home.
- (3) Non-ambulatory persons shall not be allowed as residents.
- (d) The following fundamental fire and life safety requirements shall be imposed in all one- and two-bed adult care homes, one- and two-bed adult family homes, three-and four-bed boarding care adult care homes and boarding care homes for the mentally retarded, in addition to chapter 21 of the life safety code:

(1) Emergency lighting shall be provided to insure illumination for evacuation in case of a power failure.

(2) Fire alarms, smoke detectors and fire extinguishers shall be maintained in an operable condition at all times.

(3) Fire drills shall be conducted as frequently as necessary, and at least once every three months, to insure orderly egress in case of an emergency.

(4) Each exit, and each route to each exit, shall be clearly marked so that all residents will readily know the direction of egress from any point within the building.

(5) Each exit shall be arranged and maintained to provide free, unobstructed egress. Locks or fastening devices shall not be installed to prevent free escape from inside the building.

(6) Each building shall be constructed, arranged, equipped, maintained and operated to avoid danger to the lives and safety of its residents from fire, smoke, fumes and panic during emergency situations. (Authorized by and implementing K.S.A. 1989 Supp. 31-133 and 31-147; effective May 1, 1983; amended May 1, 1984; amended May 1, 1985; amended May 1, 1986; amended Sept. 17, 1990.)

#### Article 15.—CHILD CARE FACILITIES

22-15-7. Juvenile detention centers. (a) "Juvenile detention center" means a facility where juveniles below 18 years of age are housed in incarcerated conditions, with or without locked exit doors and with or without locked security room doors.

- (b) Juvenile detention centers one story in height shall be constructed of one-hour protected noncombustible construction or two-hour fire resistive construction. Juvenile detention centers two stories or more in height shall be constructed of at least two-hour fire resistive construction. In existing facilities now in operation and not conforming to new construction standards, a waiver of construction standards may be granted by the state fire marshal, if the state fire marshal believes that reasonable life safety from fire is attained.
- (c) At least two approved exits shall be provided from each floor. The exits shall be doors leading directly outside at ground level, or enclosed stairs leading directly to the outside. In existing facilities, an outside fire escape constructed according to the standards of the uniform building code or national fire protection association, may be used as one exit if it is not possible to provide two enclosed stairs to the outside. Exits shall be remote from

each other with no dead and corridors in new construction. Dead end corridors in existing facilities shall be allowed only with the approval of the state fire marshal.

(d) Exit stairs shall be enclosed with one-hour rated construction with at least one-hour B label doors at each floor opening in two-story facilities. Exit stairs shall be enclosed with two-hour rated construction with one and one-half-hour B label doors at each floor opening in facilities of three or more stories. Stairs not required as exits shall be of the same construction as exit stairs except that, when connecting no more than two floors, a single one-hour B label door is acceptable at either the top or bottom of stairs to prevent spread of fire or smoke from one floor to the other. All stairway doors shall be self closing.

(e) Hazardous areas shall be enclosed with at least one-hour construction, with doors appropriate to the degree of hazard, but not less than 13/4 inch thick solid wood core. Hazardous areas include boiler or furnace rooms, laundry and soiled linen rooms, and major combustible

storage rooms.

(f) All sleeping or security rooms shall be equipped with 13/4 inch solid wood core doors or an equivalent metal door. Doors may have no more than 100 square inches of vision panel glazed with wired glass in steel frame. Open screening or bars in corridor walls or doors are not permitted.

(g) Facilities for 11 or more persons shall have approved

manual pull fire alarm systems.

(h) Rooms with locked doors shall not be located on a dead end corridor.

- (i) Locks: (1) When electric locks are used, they shall be the type that can be unlocked at any time by the use of a key.
- (2) When doors are lockable, the staff on duty shall carry a key at all times, and all doors within the same building shall be keyed to a common key.

(3) All locks on sleeping room or security room doors

shall be the deadbolt type.

- (j) Electrical: (1) In each new facility, wiring shall meet the national electric code, 1990 edition. Wiring shall not be exposed except in conduit, and all wiring shall be in safe condition and properly fused. Extension cords shall not be used.
- (2) Corridors and exit stairs shall be lighted at all times at one foot candle power at floor level. Emergency lighting shall be provided at each facility in the event of power failure and shall be installed in compliance with the national electric code, 1990 edition.
- (3) Exits shall be identified by either internally illuminated exit signs or, when automatic emergency lighting is provided, by internally or externally illuminated signs. At all times, five foot candle power illumination shall be on the face of the sign.

(k) There shall be at least one staff member, with a key, on duty at all times and awake on each occupied floor.

(1) Interior finish shall be class A, 0-25 flame spread, material. Drapes and curtains shall be flame retardant. Carpet shall be certified tested by ASTM-E-84 test and be rated 75 or below in flame spread, smoke density and fuel contribution. Carpet pad shall not be foam type.

Mattresses and pillows shall not be foam filled. Furniture shall not be foam filled except in sitting areas completely separated from sleeping areas.

(m) An operational fireplace shall be: (1) properly con-

structed and vented with lined chimney;

(2 equipped with spark screen; and (3) supervised at all times when in use.

(n) Flammable liquids or gasoline powered equipment shall not be stored within the building. When stored on the grounds in a separate building, the building shall be locked when not in use.

(o) Smoking areas shall be posted and provided with ash trays. Each waste container in or near smoking areas

shall be noncombustible and self closing.

(p) A fire extinguisher shall be provided on each floor within 75 feet travel distance. Each extinguisher shall be ABC type with at least 2A rating.

(q) A fire evacuation plan shall be provided for each staff member. Fire training drills shall be conducted at

least quarterly for staff members.

(r) An existing building, housing detention occupancies, established prior to the effective date of this code, may have its use continued if it conforms or is made to conform to the provisions of this code, or if in the opinion of the authority having jurisdiction, reasonable life safety against the hazards of fire, explosion and panic is provided and maintained. (Authorized by and implementing K.S.A. 1989 Supp. 31-133; effective May 1, 1979; amended May 1, 1986; amended Sept. 17, 1990.)

#### Article 18.—EDUCATIONAL OCCUPANCIES

22-18-3. School buildings, construction requirements. (a) From and after July 1, 1990 and except as provided in subsection (b), the construction of school buildings shall comply with the requirements of the 1988 edition of the uniform building code, volume I, and the 1988 edition of the uniform mechanical code, of the international conference of building officials. All electric wiring shall conform to the requirements of the 1990 edition of the national electric code of the national fire protection association. Minimum plumbing requirements shall meet the 1988 edition of the uniform plumbing code issued by the international association of plumbing and mechanical officials.

(b) The construction of mobile, modular, portable or relocatable school buildings shall conform to the requirements of the 1988 edition of the life safety code as adopted by the national fire protection association. Minimum plumbing requirements shall meet the 1988 edition of the uniform plumbing code issued by the international association of plumbing and mechanical officials. (Authorized by and implementing K.S.A. 1989 Supp. 31-133, 31-150; effective Sept. 17, 1990.)

#### Article 20.—NATURAL GAS AS MOTOR FUEL

22-20-1. Natural gas as a motor fuel. National fire protection association pamphlet no. 52, 1988 edition, effective June 28, 1988, is hereby adopted by reference.

(Authorized by and implementing K.S.A. 1989 Supp. 31-133; effective May 1, 1985; amended Sept. 17, 1990.)

John Earhart State Fire Marshal

Doc. No. 009539

(Published in the Kansas Register, August 2, 1990.)

Notice of Call for Redemption industrial Revenue Bonds (Newton Truck Maintenance Center, a Partnership) Series S-1981, Dated September 1, 1981 of

The City of Newton, Kansas

Notice is hereby given that pursuant to the provisions of Section 4(c) of Ordinance No. 3576 of the city of Newton, Kansas, the above mentioned term coupon bonds (numbered 31, 33, 44, 47, 49, 54, 62, 65, 68, and 70) maturing on September 1, 1992, have been called for redemption and payment on September 1, 1990, at the offices of the Southwest National Bank of Wichita, Trust Department,

P.O. Box 1401, Wichita, KS 67201.

On such redemption date there shall become due and payable on each of the above mentioned bonds the redemption price thereof equal to 100 percent of the principal amount of each bond together with interest accrued to the redemption date (upon presentation and surrender of each such bond and all appertenant coupons). Interest shall cease to accrue on the bonds from and after September 1, 1990, and interest coupons maturing after September 1, 1990, shall be void. Please submit bonds to the paying agent two weeks prior to September 1, 1990, to allow adequate time for processing payments.

to allow adequate time for processing payments.

Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, paying agents making payments of interest or principal on corporate securities or making payments of principal on municipal securities may be obligated to withhold a 20 percent tax from remittances to individuals who have failed to furnish the paying agent with a valid taxpayer identification number. Holder of the above described securities who wish to avoid the imposition of this tax should submit certified taxpayer identification numbers when presenting their securities for collection.

Dated July 18, 1990.

The Southwest National Bank of Wichita P. O. Box 1401 Wichita, KS 67201 Fiscal Agent for the City of Newton, Kansas

(Published in the Kansas Register, August 2, 1990.)

Notice of Redemption
Industrial Revenue Bonds
(Air Capitol Partners)
Series XVIII, 1982, Dated September 1, 1982
of
The City of Wichita, Kansas

Notice is hereby given that pursuant to Section 4 of Ordinance No. 38-016 of the city of Wichita, Kansas, all of the outstanding industrial revenue bonds, Series XVIII, 1982 (Air Capitol Partners) of the city of Wichita, Kansas, maturing on and after September 1, 1991, will be redeemed and prepaid on September 1, 1990, prior to their respective maturities subject to the provisions and limitations set forth herein.

Bond	Maturity	Interest Rate	
Numbers	Date		
17-20	September 1, 1991	14.00%	
21-25	September 1, 1992	14.00%	
26-90	September 1, 1999	15.00%	

This notice of redemption, and the payment of the principal of and interest on the aforesaid 1982 bonds on the specified redemption date, are subject to the issuance and delivery by the city of its refunding revenue bonds on or before such redemption date in an amount sufficient to provide funds to pay the specified redemption price of the 1982 bonds. In the event such refunding bonds have not been issued by the redemption date, this notice shall be null and void and of no force and effect, the 1982 bonds delivered for redemption shall be returned to the respective owners thereof, and said 1982 bonds shall remain outstanding as though this notice of redemption had not been given.

The principal amount of the above described 1982 bonds shall become due and payable on September 1, 1990, at a redemption price equal to the principal amount thereof, plus accrued interest thereon to said redemption date, together with a premium of three percent of the principal amount of the bonds so called for redemption and payment.

On September 1, 1990, provided that funds are on hand to pay the specified redemption price, all 1982 bonds will be due and payable at the principal office of The Southwest National Bank of Wichita, Wichita, Kansas, and from and after September 1, 1990, and interest on the 1982 bonds will cease to accrue.

Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, paying agents making payments of interest or principal on corporate securities or making payments of principal on municipal securities may be obligated to withhold a 20 percent tax from remittances to individuals who have failed to furnish the paying agent with a valid taxpayer identification number. Holders of the 1982 bonds who wish to avoid the imposition of this

tax should submit certified taxpayer identification numbers when presenting their bonds for payment.

Dated July 18, 1990.

The Southwest National Bank of Wichita P.O. Box 1401 Wichita, Kansas 67201 Trustee

Doc. No. 009540

(Published in the Kansas Register, August 2, 1990.)

Notice
City of Wichita, Kansas
Industrial Revenue Bonds
(Adair Associates Project)
Series I, 1983, \$1,000,000
Dated February 1, 1983

The Southwest National Bank of Wichita, Wichita, Kansas, as fiscal agent for the City of Wichita, Kansas, has been advised by Mid Kansas Savings & Loan Association on July 2, 1990, that an event of default has occurred under the bond documents. Pursuant to the terms of the ordinance at Section 23, "upon the occurrence of an event of default under this ordinance, the fiscal agent shall declare the principal of all the bonds then outstanding, together with interest accrued thereon, to be immediately due and payable."

The fiscal agent is asking that all outstanding bonds for the above referenced issue be surrendered at this time. All unpaid coupons beginning with coupon number 15 should remain with the bonds. Payment of principal and accrued interest to the bondholders is scheduled to be made on or about August 15, 1990.

Bond	Principal	Maturity	Interest
Numbers	Amount	Date	Rate
13-18	30,000	February 1, 1991	10.00%
19-24	30,000	February 1, 1992	10.25%
25-200	880,000	February 1, 1993	10.50%

Because the bonds are bearer in form, you should be aware that transmittal of your bearer securities by mail is subject to the normal risks associated with the mail and you should select the method of delivery accordingly.

Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, paying agents making payments or interest or principal on corporate securities or making payments of principal on municipal securities may be obligated to withhold at 20 percent tax from remittances to individuals who have failed to furnish the paying agent with a valid taxpayer identification number. Holders of the above described securities who wish to avoid the imposition of this tax should submit certified taxpayer identification numbers when presenting their securities for collection.

Dated July 26, 1990.

The Southwest National Bank of Wichita P.O. Box 1401, 400 E. Douglas Wichita, KS 67201 Fiscal Agent for the City of Wichita, Kansas

(Published in the Kansas Register, August 2, 1990.)

Summary Notice of Bond Sale
City of Halstead, Kansas
\$1,150,000
General Obligation Bonds, Series 1990
(general obligation bonds payable from unlimited ad valorem taxes)

#### Sealed Bids

Subject to the notice of bond sale and preliminary official statement dated July 31, 1990, sealed bids will be received by the City Clerk of Halstead, on behalf of the governing body at the City Hall, 303 Main, Halstead, KS 67056, until 2 p.m. C.D.T. August 13, 1990, for the purchase of \$1,150,000 principal amount of general obligation bonds, Series 1990. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

#### **Bond Details**

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The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated August 1, 1990, and will become due serially on October 1 in the years as follows:

Year Prin	cipal Amount
1 <b>992</b>	\$ 20,000
1993	25,000
1994	25,000
1995	30,000
1996	30,000
1997	30,000
1998	35,000
1999	35,000
2000	40,000
2001	40,000
2002	45,000
2003	45,000
2004	50,000
2005	55,000
2006	60,000
2007	60,000
2008	70,000
2009	220,000
2010	235,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on April 1 and October 1 in each year, beginning on April 1, 1991.

#### Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$23,000 (2 percent of the principal amount of the bonds).

#### Delivery

The city will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before August 30, 1990, at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder.

#### Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1989 is \$8,953,146. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$2,715,000.

#### Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the city, printed on the bonds and delivered to the successful bidder as and when the bonds are delivered.

#### Additional Information

Additional information regarding the bonds may be obtained from the City Clerk, Alice C. Considine, City Hall, 303 Main, Halstead 67056, (316) 835-2286; or from the Financial Advisor, Ranson & Company, Inc., 120 S. Market, Suite 450, Wichita, KS 67202, Attention: Mr. Jeffrey K. Ray, (316) 262-2651.

Dated July 31, 1990.

City of Halstead, Kansas

Doc. No. 009552

(Published in the Kansas Register, August 2, 1990.)

Corrected
Summary Notice of Bond Sale
\$1,900,000
City of El Dorado, Kansas
General Obligation Internal
Improvement Bonds

(general obligation bonds payable from unlimited ad valorem taxes)

#### Details of the Sale

Subject to the terms and conditions of the complete official notice of bond sale dated as of July 17, 1990, of the city of El Dorado, Kansas in connection with the bonds hereinafter described, sealed, written bids shall be received at the office of the Director of Finance/City Clerk, City Hall, 220 E. First St., El Dorado, KS until 2 p.m. C.D.T. Tuesday, August 7, 1990, for the purchase of general obligation internal improvement bonds, Series 1990, of the city which are hereinafter described. All bids shall be publicly opened, read aloud and tabulated by city staff on said date and at said time and place; and all bids and the city staff's tabulations shall thereafter be presented to the city's governing body for consideration and the awarding of the bonds to the best bidder at the governing body's regularly scheduled meeting, which will be held in the city commission meeting room at city hall at 7:30 p.m. August 7, 1990. Bids received after 2 p.m. on August 7, 1990 will be returned unopened.

The bonds to be sold are in the aggregate principal amount of \$1,900,000. No oral or auction bids for the bonds shall be considered, and no bids for less than the entire amount of the bonds shall be considered.

Bids shall be accepted only on the official bid form

which has been prepared for the public bidding on these bonds, which may be obtained from the Director of Finance/City Clerk or from the city's Financial Advisor. Bids may be submitted by mail or may be delivered in person, but must be received at the place and no later than the date and time hereinbefore specified. Each bid shall be accompanied by a good faith deposit in the form of a certified or cashier's check drawn on a bank located within the United States and made payable to the order of the city, and shall be in an amount equal to 2 percent of the principal amount of the bonds.

#### Details of the Bonds

The bonds shall be issued as fully registered bonds in denominations of \$5,000, or any integral multiple thereof not exceeding the principal amount of bonds maturing in any year. The bonds shall bear a date of August 1, 1990. The bonds shall bear interest, payable as hereinafter set forth, at the rates specified by the successful bidder for the bonds. Certain of the bonds are subject to redemption as set forth in the official notice of bond sale.

Interest on the bonds shall be payable semiannually on June 1 and December 1 of each year, commencing December 1, 1990, and the bonds shall mature serially on December 1 in each of the years and principal amounts

as follows:

Principal Amount	Maturity Date
\$190,000	1990
190,000	1991
190,000	1992
190,000	1993
190,000	1994
190,000	1995
190,000	1996
190,000	1997
190,000	1998
190,000	1999

Payment of Principal and Interest

The Kansas State Treasurer shall serve as the bond registrar and paying agent for the bonds, and the principal of the bonds shall be payable upon surrender at the paying agent's principal offices in the city of Topeka, Kansas. Interest shall be paid by the mailing of a check or draft of the paying agent to the registered owners of the bonds.

Security for the Bonds

The bonds and the interest thereon shall constitute general obligations of the city, and the full faith, credit and resources of the city shall be pledged to the payment thereof. The city shall be obligated to levy ad valorem taxes without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the city for the purpose of paying the bonds and the interest thereon.

Delivery of the Bonds

The bonds, duly printed, executed and registered, shall be furnished and delivered at the expense of the city to the successful bidder, or at its direction, on or about Thursday, August 30, 1990, at such bank or trust company or other qualified depository in the state of Kansas or Kansas City, Missouri, as may be specified by the suc-

cessful bidder. Delivery elsewhere shall be made at the expense of the successful bidder.

Legal Opinion

The bonds will be sold subject to the legal opinion of Hinkle, Eberhart & Elkouri, Wichita, Kansas, bond counsel, whose fees will be paid by the city. Bond counsel's approving legal opinion as to the validity of the bonds will be printed on the bonds and will be delivered to the successful bidder upon delivery of the bonds. (Reference is made to the official notice of bond sale for a discussion of tax exemption and other legal matters.)

#### Financial Matters

The city's 1989 assessed valuation is as follows:

}	Assessed Valuation of Taxable Tangible Property	\$36,109,938
2	Taxable Value of Motor Vehicles	8,900,677
	Equalized Assessed Tangible Valuation for Computation	
	of Bonded Debt Limitations	. \$45,010,61 <u>5</u>

Exclusive of the bonds described herein and of outstanding temporary notes to be retired upon the issuance of such bonds, the city has outstanding general obligation bond and temporary note indebtedness at the date hereof in the principal amount of \$2,601,000. The city will pay and redeem \$2,381,201.50 principal amount of temporary notes from the proceeds of the bonds described herein and other moneys available for such purpose.

#### Official Statement

The city has prepared a preliminary official statement, dated as of July 26, 1990, relating to the bonds, copies of which may be obtained from the city or the city's financial advisor. The preliminary official statement is in a form "deemed final" by the city for the purpose of the Securities and Exchange Commission's Rule 15c2-12(b)(1), but is subject to revision, amendment and completion in the final official statement. Upon the sale of the bonds, the city shall furnish the successful bidder with a reasonable number of copies of the final official statement, without additional cost, upon request. Copies of the final official statement in excess of a reasonable number may be ordered by the successful bidder at its expense.

#### **Additional Information**

For additional information regarding the city, the bonds and the sale, interested parties are invited to request copies of the complete official notice of bond sale and official bid form and the city's preliminary official statement for the bonds, all of which may be obtained from the undersigned or from the city's Financial Advisor, Charles M. Boully, The Kirchner Group, A Division of George K. Baum & Company, 100 N. Main, Suite 810, Wichita, KS 67202, (316) 264-9351.

Adam R. Collins
Director of Finance/City Clerk
City Hall, 220 E. First St.
El Dorado, KS 67042
(316) 321-9100

2010

	(Published in the Kansas Register, August 2, 1990)	2001
		2002
	10,000	2003
4.5	City of Gas, Kansas	2004
Ger	neral Obligation Water System Bonds	2005
		2006
	from unlimited ad valorem taxes)	2007
	$\epsilon_{1}$ ) the constant $\epsilon_{2}$ , $\epsilon_{3}$ , $\epsilon_{4}$ , $\epsilon_{5}$ , $\epsilon_{4}$ , $\epsilon_{5}$ , $\epsilon_{5}$ , $\epsilon_{5}$ , $\epsilon_{5}$ , $\epsilon_{5}$ , $\epsilon_{5}$	2008
is of	f the Sale 15,000	2009

#### Details

Subject to the terms and conditions of the complete official notice of bond sale, dated as of July 10, 1990, of the city of Gas in connection with the bonds hereinafter described, sealed, written bids shall be received at the city's offices at 228 N. Taylor in Gas, Kansas, until 7 p.m. C.D.T. on Tuesday, August 14, 1990, for the purchase of general obligation water system bonds, Series A, 1990, of the city which are hereinafter described. All bids shall be publicly opened, read aloud and considered on said date and at said time and shall be immediately thereafter acted upon by the governing body of the city.

The bonds to be so sold are in the aggregate principal amount of \$150,000. No oral or auction bids for the bonds shall be considered, and no bids for less than the entire amount of the bonds shall be considered.

Bids shall be accepted only on the official bid form which has been prepared for the public bidding on these bonds, which may be obtained from the city clerk or from the city's financial advisor. Bids may be submitted by mail or may be delivered in person, and must be received at the place and no later than the date and time hereinbefore specified. Each bid shall be accompanied by a good faith deposit in the form of a certified or cashier's check drawn on a bank located within the United States and made payable to the order of the city, and shall be in an amount equal to 2 percent of the principal amount of the bonds.

#### Details of the Bonds

The bonds shall be issued as fully registered bonds in denominations of \$5,000, or any integral multiple thereof not exceeding the principal amount of bonds maturing in any year. The bonds shall bear the date of September 1, 1990. The bonds shall bear interest, payable as hereinafter set forth, at the rates specified by the successful bidder for the bonds. Certain of the bonds are subject to redemption as set forth in the official notice of bond sale.

Interest on the bonds shall be payable semiannually on March 1 and September 1 of each year, commencing March 1, 1991, and the bonds shall mature serially on September 1 in each of the years and principal amounts as follows:

Principal Amount	Maturity Date
the state of the s	
\$ 5,000	1991
5,000	1992
5,000	1993
5,000	1994
5,000	1995
5,000	1996
5,000	1997
5,000	1998
5,000	1999
5,000	2000

#### Payment of Principal and Interest

15,000

The Kansas States Treasurer shall serve as the bond registrar and paying agent for the bonds, and the principal of the bonds shall be payable upon surrender at the paying agent's principal offices in the city of Topeka, Kansas. Interest shall be paid by the mailing of a check or draft of the paying agent to the registered owners of the bonds.

#### Security for the Bonds

The bonds and the interest thereon shall constitute general obligations of the city, and the full faith, credit and resources of the city shall be pledged to the payment thereof. The city shall be obligated to levy ad valorem taxes without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the city for the purpose of paying the bonds and the interest thereon.

#### Delivery of the Bonds

The bonds, duly printed, executed and registered, shall be furnished and delivered at the expense of the city to the successful bidder, or at its direction, on or about Wednesday, September 12, 1990, at such bank or trust company or other qualified depository in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder. Delivery elsewhere shall be made at the expense of the successful bidder.

#### Legal Opinion

The bonds will be sold subject to the legal opinion of Hinkle, Eberhart & Elkouri, Wichita, Kansas, bond counsel, whose fees will be paid by the city. Bond counsel's approving legal opinion as to the validity of the bonds will be printed on the bonds and will be delivered to the successful bidder upon delivery of the bonds. (Reference is made to the official notice of bond sale for a discussion of tax exemption and other legal matters.)

#### **Financial Matters**

The City's 1989 assessed valuation is as follows:

 Assessed Valuation of Taxable Tangible Property	y \$2,160.3	66
Taxable Value of Motor Vehicles		
Equalized Assessed Tangible Valuation for		7.
Computation of Donday Dake Timitations	40 704 0	417

Exclusive of the Bonds described herein, the city has outstanding general obligation indebtedness at the date hereof in the principal amount of \$295,000.

#### Official Statement

The city has prepared a preliminary official statement, dated as of August 2, 1990, relating to the bonds, copies of which may be obtained from the city or the city's financial advisor. The preliminary official statement is in a form "deemed final" by the city for the purpose of the Securities and Exchange Commission's Rule 15c2-12(b)(1).

but is subject to revision, amendment and completion in the final official statement. Upon the sale of the bonds, the city shall furnish the successful bidder with a reasonable number of copies of the final official statement, without additional cost, upon request. Copies of the final official statement in excess of a reasonable number may be ordered by the successful bidder at its expense.

#### **Additional Information**

4-7-802

Amended

For additional information regarding the city, the bonds and the sale, interested parties are invited to request copies of the complete official notice of bond sale and official bid form and the city's preliminary official statement for the bonds, all of which may be obtained from the undersigned or from the city's Financial Advisor, Mr. Brian Corrigan, The Columbian Securities Corporation, 550 N. 159th St. E., Wichita, KS 67230, (316) 733-0014.

> Marcella Wilson, City Clerk City Hall, 228 North Taylor Gas, KS 66742 (316) 365-3034

Doc. No. 009558

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	40-7-21	Amended	V. 8, p. 457	68-20-1	Amended	V. 8, p. 254	85-4-1	Amended	V. 8, p. 1448
**				68-20-16	Amended	V. 8, p. 255	85-6-1	Amended	V. 8, p. 1448
	40-7-21	Amended	V. 8, p. 516	68-20-20	Amended	V. 9, p. 384	85-7-1	Amended	V. 8, p. 1448
	40-7-22		and the second			<u> </u>	Contract to the contract of		
	through			AGENC	70: BOARD	OF VETERINARY	AGENCY	86: REAL EST	ATE COMMISSION
	40-7-25	New	V. 9, p. 304		MEDICAL EX	AMINERS	Reg. No.	Action	Register
	40-10-2	Amended	V. 9, p. 985	Reg. No.	Action	Register	86-1-10	Amended	V. 9, p. 835
	40-14-1	Amended	V. 9, p. 304	70-5-1	'Amended	V. 8, p. 750	86-1-13	Amended	V. 8, p. 1753
-	40-14-4	Amended	V. 9, p. 304				1000		er sam efter et de Million er
	100			AGENCY		DENTAL BOARD	AGEN	CY 88: BOARE	OF REGENTS
	AGE	NCY 44: DEPARTM		Reg. No.	Action	Register	Reg. No.	Action	Register
		CORRECTIONS		71-2-1	1000		88-20-1	N 44	
	Reg. No.	Action	Register	through			through		网络拉马马克 海豚
	44-7-114	New	V. 9, p. 577	71-2-7	Amended	V. 8, p. 161, 162	88-20-11	New	V. 9, p. 165-167
	44-8-115	New	V. 9, p. 577	71-2-9	Amended	V. 8, p. 162	88-21-1	110.11	তেও প্ৰতিক্ৰম কৰিব কৰিব কৰিব। তেওঁৰ বুলি কৰিব কৰিব কৰিব
	44-8-116	New	V. 9, p. 577	71-2-11	Amended	V. 8, p. 163			
	44-9-103	Amended	V. 9, p. 123	71-2-12	Amended	V. 8, p. 163	through	NJ	V. 8, p. 1834, 1835
	44-9-104	Amended	V. 9, p. 123	71-2-13	Revoked	V. 8, p. 163	88-21-10	New	v. a, p. 1604, 1600
	44-11-111	Amended	V. 9, p. 950		Amended	V. 8. p. 163	401	ENCY 91: DEP	RTMENT OF
٠.	44-11-112	Amended		71-4-1	Amendeu	7. 0. p. 100	AGI		
			V. 9, p. 80	ACENOV	74. ROARD O	F ACCOUNTANCY		EDUCAT	
	44-11-113	Amended	V. 9, p. 80	1 2 2	Action	Register	Reg. No.	Action	Register
	44-11-114	Amended	V. 9, p. 80	Reg. No.		V. 8, p. 493	91-1-27b	Amended	V. 9, p. 1099
	44-11-116	Revoked	V. 9, p. 81	74-5-202	Amended		91-1-27c	New	V. 9, p. 1099
	44-11-121	Amended	V. 9, p. 81	74-5-203	Amended	V. 8, p. 493	91-1-32	Amended	V. 8, p. 94
	44-11-122	Amended	V. 9, p. 81	74-6-2	Amended	V. 8, p. 1069	91-1-32a	Revoked	V. 8, p. 94
	44-11-123	Amended	V. 9, p. 950	74-12-1	Amended	V. 8, p. 1590	91-1-33	Amended	V. 8, p. 94
	44-11-126	Revoked	V. 9, p. 81	74-13-1	New	V. 9, p. 232	91-1-38	Revoked	V. 8, p. 95
	44-11-128	Revoked	V. 9, p. 81	74-13-2	New	V. 9, p. 232	91-1-58	Amended	V. 9, p. 1099
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	AGENCY 49	EDEPARTMENT (	OF HUMAN	75-6-11	Amended	V. 9, p. 988	91-1-85	Amended	V. 8, p. 95
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